

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

TANYA GERSH,

Plaintiff,

vs.

ANDREW ANGLIN, publisher of the
Daily Stormer,

Defendant.

CV 17 –50–M–DLC–KLD

ORDER

Before the Court is United States Magistrate Judge Kathleen L DeSoto’s Findings and Recommendation. (Doc. 243.) Judge DeSoto recommends that Plaintiff Tanya Gersh’s contempt motion be denied for failure to effectuate service in compliance with Rule 5(c) of the Federal Rules of Civil Procedure. (*Id.* at 13–14.) There are no objections, and it appears Ms. Gersh has renewed her motion. (Doc. 246.)

A party is only entitled to de novo review of those findings to which he or she specifically objects. 28 U.S.C. § 636(b)(1)(C). In the absence of an objection, this Court reviews findings for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error review is “significantly deferential” and exists when the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v.*

Syrax, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error, the Court finds none. The Court will adopt Judge DeSoto's recommendation in full.

Accordingly, IT IS ORDERED that Judge DeSoto's Findings and Recommendation (Doc. 243) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Ms. Gersh's contempt motion (Doc. 235) is DENIED.

DATED this 7th day of February, 2022.



Dana L. Christensen, District Judge
United States District Court